



IFW

Docket No.: 0080-0240PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Ryoichi MATSUOKA

Application No.: 10/560,000

Confirmation No.: 4598

Filed: December 9, 2005

Art Unit: N/A

For: ARTIFICIAL LAWN AND METHOD OF  
MANUFACTURING THE SAME

Examiner: Not Yet Assigned

**LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

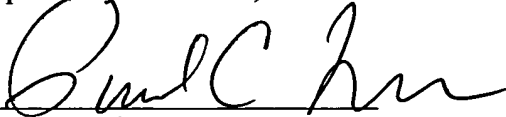
Sir:

Subsequent to the filing of the above-identified application on December 9, 2005, attached hereto is an English translation of the International Preliminary Examination Report (Form PCT/IPEA/409) that should be made of record in the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or to credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: July 20, 2006

Respectfully submitted,

By 

Paul C. Lewis

Registration No.: 43,368  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant

From the INTERNATIONAL BUREAU

**PCT**

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY  
(CHAPTER I OR CHAPTER II  
OF THE PATENT COOPERATION TREATY)  
(PCT Rules 44bis.3(c) and 72.2)

To:

YASUDA, Toshio  
Yasuda & Okamoto  
7 & 6th Floor, Shori Building  
7-19, Takaida-hondori 7-chome  
Higashi-Osaka-shi, Osaka 5770066  
JAPON

Date of mailing (day/month/year)  
04 May 2006 (04.05.2006)

Applicant's or agent's file reference  
P-1023

**IMPORTANT NOTIFICATION**

International application No.  
PCT/JP2004/008798

International filing date (day/month/year)  
23 June 2004 (23.06.2004)

Applicant

MATSUOKA, Ryoichi

**1. Transmittal of the translation to the applicant.**

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

**2. Transmittal of the copy of the translation to the designated or elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

**3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Authorized officer

Masashi Honda

Facsimile No.+41 22 740 14 35

Facsimile No.+41 22 338 70 10

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference <b>P-1023</b>	<b>FOR FURTHER ACTION</b>	See item 4 below
International application No. <b>PCT/JP2004/008798</b>	International filing date ( <i>day/month/year</i> ) <b>23 June 2004 (23.06.2004)</b>	Priority date ( <i>day/month/year</i> ) <b>30 June 2003 (30.06.2003)</b>
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant <b>MATSUOKA, Ryoichi</b>		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- |                                     |              |   |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the report   |
| <input type="checkbox"/>            | Box No. II   | Priority  |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention  |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited   |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application  |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application   |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report <b>24 April 2006 (24.04.2006)</b>
Facsimile No. +41 22 740 14 35	Authorized officer <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Masashi Honda</div> Telephone No. +41 22 338 70 10

# PATENT COOPERATION TREATY

TRANSLATION

From the  
INTERNATIONAL SEARCHING AUTHORITY

## PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing  
(day/month/year)

Applicant's or agent's file reference

**P-1023**

**FOR FURTHER ACTION**

See paragraph 2 below

International application No.

**PCT/JP2004/008798**

International filing date (day/month/year)

**23.06.2004**

Priority date (day/month/year)

**30.06.2003**

International Patent Classification (IPC) or both national classification and IPC

Applicant

**MATSUOKA, Ryoichi**

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/008798

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

This opinion has been established on the basis of a translation from the original language into the following language

\_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under

Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐

a sequence listing

☐

table(s) related to the sequence listing

b. format of material

☐

in written format

☐

in computer readable form

c. time of filing/furnishing

☐

contained in the international application as filed.

☐

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2004/008798

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
<b>1. Statement</b>			
Novelty (N)	Claims	<u>2, 5-6</u>	YES
	Claims	<u>1, 3-4</u>	NO
Inventive step (IS)	Claims	<u>2, 6</u>	YES
	Claims	<u>1, 3-5</u>	NO
Industrial applicability (IA)	Claims	<u>1-6</u>	YES
	Claims	<u>                    </u>	NO
<b>2. Citations and explanations:</b>			
<p>Document 1: JP 11-113724 A (Yamasho K.K.), 27 April 1999</p> <p>Document 2: JP 5-171614 A (Sumitomo Rubber Industries, Ltd.), 09 July 1993</p> <p>The invention described in claim 1 is described in document 1 (paragraphs 0015-0018) cited in the ISR; therefore it does not possess novelty or involve an inventive step.</p> <p>The invention described in claim 2 involves an inventive step with respect to the documents cited in the ISR. Documents 1 and 2 do not describe the point about a pair of guide grooves that specify the drive-in position of a pair of needle tips at a needle member at two side positions opposing the peripheral wall part of each root part pot and sandwiching the opening of the root; nor is this point obvious to a person skilled in the art.</p> <p>The inventions described in claims 3 and 4 are described in of document 1 (paragraphs 0015-0018) cited in the ISR; therefore it does not possess novelty or involve an inventive step.</p> <p>The invention described in claim 5 is described in document 1 and document 2 (paragraphs 0009, 0016-0017, Fig. 1) cited in the ISR; therefore it does not involve an inventive step. Forming the grass of document 1 like a rope by bundling a plurality of resin cord as described in document 2 and driving it into an underlying board and then unwinding the rope twists and spreading the resin cords would be easy for a person skilled in the art.</p> <p>The invention described in claim 6 involves an inventive step with respect to the documents cited in the ISR. Documents 1 and 2 do not describe the point about folding one side of of the grass material extending from a root part pot at a position where it arrives at an adjacent root part pot, pushing this folded portion into the relevant root part pot, driving a fork-shaped needle member in the interfork portion with this folded portion as the boundary, and cutting the grass material bridging between these adjacent root part pots at the middle portion. Moreover, that point is not obvious to a person skilled in the art.</p>			